

Message Text

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PAGE 01 LA PAZ 03680 101438Z
ACTION L-03

INFO OCT-01 ARA-14 ISO-00 JUSE-00 FBOE-00 A-01 /019 W
-----060329 102007Z /65

R 101430Z MAY 78
FM AMEMBASSY LA PAZ
TO SECSTATE WASHDC 707

UNCLAS LA PAZ 3680

E.O. 11652: N/A
TAGS: AFSP, ACLM
SUBJ: CLAIM AGAINST THE U.S. GOVERNMENT

1. DR. JOSE L. VASQUEZ, LOCAL ATTORNEY, HAS PRESENTED A CLAIM FOR PROFESSIONAL LEGAL FEES IN CONNECTION WITH THE UNSUCCESSFUL ATTEMPT TO PURCHASE THE "CAJA PETROLERA" PROPERTY IN 1975 FOR USE AS A CHANCERY SITE.

2. EMBASSY RECORDS ARE INCOMPLETE, BUT THERE FOLLOWS OUR BEST RECONSTRUCTION OF THE EVENTS:

A) IN JANUARY 1975 THE EMBASSY DIRECTED DR. VASQUEZ TO QUIETLY AND PRIVATELY OPEN NEGOTIATIONS FOR THE PROPERTY. APPARENTLY NO WRITTEN CONTRACT WAS EXECUTED.

B) ON JANUARY 27, 1975 DR. VASQUEZ REPORTED BY LETTER THAT HE HAD ALREADY EXPENDED \$2,000 IN EXPENSES, INCLUDING A TRIP TO SUCRE; THE LEGAL CAPITAL, ON HIS RESEARCHES. IN THIS LETTER HE STATED HIS FEE WOULD BE 5 PCT OF THE ACQUISITION COST, INCLUDING THE ABOVE \$2,000.

C) DURING EARLY AND MID 1975 DR. VASQUEZ CONTINUED NEGOTIATIONS AND LEGAL RESEARCH. IN A LETTER OF JULY 2, 1975, THE CAJA PETROLERA ACCEPTED OUR OFFER OF \$297,496.30. DR. VASQUEZ CONTINUED THE LEGAL WORK TOWARD THE SALE.

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D) UNFORTUNATELY, IN A LETTER OF OCTOBER 1, 1975, THE EMBASSY INFORMED THE BOARD OF DIRECTORS OF THE CAJA PETROLERA THAT THE STATE DEPARTMENT DEFINITELY WAS UNABLE TO COMPLETE THE PURCHASE.

E) DR. VASQUEZ, IN LETTERS OF APRIL 28, 1976, DECEMBER

23, 1976 AND MAY 12, 1977, REQUESTED PAYMENT OF 2 PERCENT OF THE AGREED SALES PRICE AS A FEE FOR SERVICES PERFORMED (INSTEAD OF THE 5 PCT HAD THE SALE BEEN CONSUMMATED). WE ARE UNABLE TO DETERMINE WHAT, IF ANY, ANSWER WAS GIVEN BY THE EMBASSY.

3. INSOFAR AS WE ARE ABLE TO DETERMINE, DR. VASQUEZ DID THE NECESSARY AND PROPER LEGAL WORK AS WAS REQUESTED BY THE EMBASSY UP TO THE POINT WHERE THE U.S. GOVERNMENT WITHDREW. THE 2 PCT CLAIMED BY DR. VASQUEZ AMOUNTS TO \$5,949.93.

4. DR. VASQUEZ IS A RESPECTED ATTORNEY WHO FOR SOME YEARS WAS ON A SMALL EMBASSY RETAINER AND REMAINS ON RETAINER WITH USAID. ALSO, DR. VASQUEZ CONTINUES TO BE CONSULTED INFORMALLY BY THE EMBASSY AND IS HIRED FROM TIME TO TIME FOR SPECIFIC MATTERS ON A FEE BASIS.

5. THE EMBASSY REQUESTS THE DEPARTMENT CHECK ITS RECORDS TO SEE IF IT IS POSSIBLE TO VERIFY OUR ABOVE RECONSTRUCTION. ALSO, WE REQUEST THE DEPARTMENT'S GUIDANCE ON HOW TO PROCEED.

BOEKER

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Message Attributes

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Disposition Approved on Date:
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Disposition Event:
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Review Withdrawn Fields: n/a
SAS ID: 2737938
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TAGS: AFSP, ACLM
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